P. F. L. 1895

G. R. S. IX-5]

Previous references. 1894-95

192

(L.R)

File No. 143 of 94

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

Major ~~Part~~ B for July 1895

SUBJECT.

Appeal of Champawat of Kampa Kollagen for Talukdari Succession from Pharbisp

---

WD 2232—GPB—20,000—14-6-20

Commandant

1895

CHIEF SECRETARY'S OFFICE.

PETITION BRANCH.

OFFICE NOTE.

SUBJECT.

Re: Appeal No. 41 of 1894-95
before Court.

Appellant

Ramaswami
Inamdar of Ramdurg
Belgaum Dist. Taluk.

LAST REFERENCE.

Suspension of Re Shankrappa
for 4 years

Letter No. 695 dated 16th January 1895

from Dy. Commr. Dharwar.

Re Dy. Comrs. Sanad
suspended Re Appellant
and Re Patel Timmappa
of Ramdurg village
Karajgi Sub-Taluk
for 4 years each on
the following charges.

1 That the amount of
Rs 108 on account of
Kandayam from
Setter Basavappa on
28-3-94 for which
no receipt was granted
the same day was
noted entered in the
Kaidi and remitted
to the Treasury by instal-
-ments as follows:—

In

In March 94 — Rs 10-0-0
on 1-4-94 — 7-0-0
2-4-94 — 23-0-0
20-4-94 — 8-0-0

Total 48-0-0

ii The amount of Rs 22-12-6 collected from the said same individual on 27-4-94 for April Rent was credited in the Rent account and remitted only on 4th May 1894.

iii Out of the amount of Rs 7-4-3 collected from Chinga Nappa on 24-4-94 only Rs 6-0-0 was credited in the account that day & the remainder Rs 3-14-3 was credited only on 5-5-94.

iv Out of a collection of Rs 34 made from Malada Veerappa for the same month Rent dated 20th & 22nd April, the receipt-ing for the date Rs 27 was withheld credit till 4-5-94.

v Out of another payment of Rs 7-0-0 made by the same individual on behalf of one Cheena Veerappa on the same date Rs 3 was misentered

in

2/

In the Kisedi Tk 4-5-94.

3

1 Charge — The evidence against the appellant is as

(a) The statement of Sella Basseltapsa before me. Recorded that he paid the amount of Rs 11 0 into the hands of the appellant.

(b) The receipts signed by the appellant produced.

(c) The Kisedi account book shew credits as set forth in the Charge.

Defence in Explanation

The appellant denies having received the amount credited to actually. He states that he owed the amount to Sella Basseltapsa that he agreed to pay this amount on behalf of the latter towards the Cartage, and accordingly granted him the receipts, but not being able to make good this amount advance credited in instalments as was

shewn

shown in the Charge.
As regards the items
in which differences have
arisen between the dates
of collection and remittance
he has denied all know-
ledge thereof, stating that
he did not make the
collection, that it will
be shown by the receipts
which are the signatures
of the Payee and the Applicants
Firm as the Employees.
That the Complainant attended
the account as Shewing that
he also received Payment
which is also usual Proof
of Payment the receipts for the
whole amount due on
account of a Unit and
Decree for amount in
part and when the whole
amount is collected the
Decree for Complainant
in the Kundi on the date
of the last collection of
remit Recovered.

Evidence in favour of
the Applicants.

The Applicant cites as
Evidence for his not having
actually received the sum
of Rs 1854 from Letter Receipt
the "Bazeruna" account
kept by the said merchant.

and

3/

5/

And the movement of "Vasuli" as the document which was executed for the loan & which is in possession of the appellant.

As regards the remaining charges the appellant has no other explanation than that given by him before the Patil in appeal. Hence his statements in defence of charges have been brought in, that he bears out the explanation given by the appellant as regards the charge.

As regards the other item from Rs 11-8-0

SKR

13/2/45

Office-Note

A.S. No 41 of 1894-95

Petitioner – Hampannah.
Village – Rampur
Sub-Taluk – Kattgere
Dt – Tumkur)

Petitioner, who had been shanbogue of Rampur, was suspended for a period of 4 years on 1-6-94 by the Dy Commr on a report by the Dt amildar & the effect that there were large discrepancies between the entries in the Roz Kurdoor Day-book and the receipts given & the Khatedars, showing that the Shanbog & Patel did not remit

inting of 28-3-94 in Basetta-
a's receipt-book and attested
Shanbhoge & Patel shows payment
Basetta as per of Rs 108
The Roz. Thanki account & Book
thus – Rs – – –
For march – 1 – 0 – 0
On. 1-4-94 – 6½ – 0 – 0
2-4- -4- – 28 – 0 – 0
24-4-94 – 8 – 0 – 0

This Rs 10 was paid into Treasury
at the end of March & Rs 98 at the
2 of April

the money to the Treasury within the month in wh it was received as shown by the receipt. (vide particulars given in the margin)

2) In the enquiry held by the Dt amldar, the patel made a clean breast of the whole matter and admitted that he did wrong in ~~not remitting the money~~ thus producing discrepancies between the entries in Roz Khirdi Book and the entries in the receipts.

But the Shanbogue while admitting these discrepancies, pleaded in extenuation.

1° That, as regards the entry in Basettappa's receipt-book showing that he paid Rs 108 ~~for~~ for march last while only Rs 10 is credited in the Khirdi accounts — the pet[t] owned debts to the said Basettappa and the entry in receipt-book was simply a private arrangement

2) Entry of 27-4-94 in ppa's receipt-book showing by him of Rs 99-12-6 fo April Khist.
The Roz Khirdi account shows thus Rs. a
4th may. 99-12

3) Entry of 24-4-94 in Chik Guttappa's receipt showing a payment of Rs The Khirdi accounts show Rs. a
on
24-4-94 6 0
5-5-94 3-14

4) Entry in mathada Veer receipt-book showing pa by him of Rs 34 for April Khist Khirdi accounts show th Rs.
For April — 7-0
on 4-5-94 — 27-0

5) Some further entrie are omitted as the receipts are reported by Dt Com to be unobtainable at present. The origina entries 1, 2, 3 ~~&c~~ als in the record-Dasab Khirdi Book

6

Is this a Council case?

30/5/95 MMB

Sub?

If so all the usual considerations re. r. 1 para I of the 1st Rules:— Claim & all pleadings, affs. and documents attached thereto. There have been instances in which appeals from orders of suspension have been admitted & considered in Council

4/6

Memorandum
Writ endorsed type
Council
Appointment
MMB
10/6/95

Memo

Note:
Do so
please
10/6 95

Noted & 2nd July. Letter & issue
without delay
10/6

between them for the payment
of the debt. Basettakka
was importunate and pet[r]
agreed to pay Basetta Pa
Kandayan. There was
no real embezzlement
of Govt money.

2° That as regard other
discrepancies, he (pet[r])
was not with the Patel
when those receipts were
given or money received
but that his gumasta
Lakshmi Narayan
acted for him and that
he afterward attended
the accounts in the
Khasr at the dictation
of the Patel.

3) It may be here remarked
that the Patel was
also suspended for
four years and that
he has appealed to
the Chandragiri [illegible]

He says that, if cited as
a witness in the appeal
but preferred by Hampson might
he can prove some
facts against the
appellant.

V. L. T.
27/5

Subd. to the Rev. Counsellor
RL 27/5

the same line of defence
in his pet^n to Govt as
he did before the Deputy
with this further addition
that he says that he is
willing to produce a
certain document to
substantiate his allegations
regarding the existence of
a debt between himself
and Basetappa.

The grounds mentioned above
do not appear to be considered by
Govt and the Manager's
Private clerk.

The Manager's pleas
are hardly maintainable
with the Govt's policy
of denying a joint responsibility
for the Khoti-both parties
4) The Patangan says that-
he is a hereditary Khatedar
of the Panchpen Village and
complains that his claims
were rejected in appointing
a substitute for Hampannah
the suspended Khatedar.

Pet^r no 2444

Genl. Serial No. 32.]

1894

No. 530

Name of Petitioner. Hanjamaniah, Kanakop
in the N. Chickmagalur, appellate

Village. Ramapura

Taluk. Holalkere

District. Chitaldroog

Date of Arzi. 13-8-94

Date of Receipt. 14-8-94

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

Appeals against the Deputy Commissr. order no: 594, dated 1-6-94, as intimated to him in the Amildars order no: 480, which is as follows: - - - -

... It is known by the receipt possessed by the merchant Basettappa of Ramapura that he paid Rs 108 for Inarch Khist. Out of it only Rs 10 was credited to the Govt. treasury. The Remaining Rs 98 was not credited. This amount was entered in the Khirdi accounts as follows: - Rs 60 on 1-4-94, Rs 23 on 2-4-94 & Rs 8 on 24-4-94. The whole was credited at the end of April.

The

The said Basettappa paid Rs 99-12-6
on 27-4-96. as April Kist. This amount
was not credited with the Kist of that month.
This amount is entered in the Khirdi
accounts on 4th inst.

Out of Rs 9-14-3, received
from Jigantappa on 24-4-96 for April
Kist, only Rs 6/ was entered in the Khirdi
accounts & credited. The remainder Rs 3-14-3
was not credited. This amount is entered
in the Khirdi accounts on 5th inst.

Imathada Veerappa
paid Rs 34/ for April Kist on 20th ult
22nd inst. the date is not marked in the receipt.
only Rs 7/ was credited. The remainder
Rs 27/ was not credited. It is entered
in the Khirdi accounts on 4-5-96.

The above Veerappa
paid Rs 7/ for one Shamanna appa, on
the above date, for April Kist. out of
which only Rs 4 was credited & the remainder
Rs 3 was entered in the Khirdi accounts
on 4th inst.

For the above faults you
now are suspended for 4 years from
25th June 1896. as per District order
No: 596. dated 1-6-96.

You must deliver over
the records in your charge to the Shekdar
& ask him to report in the matter.

The.

12

Appeal No 41 of 94-95

Appellant:

Kampanniya
Sir R. Chetty —

Appeal against the order of the Deputy Comm^r of Jaffna confirming Appellant's for four years for certain discrepancies in the entries of Kandagam collected by him.

List of papers.

(1) Office note.
(2) Memo with orders thereon
(3) Appeal petition with abstract.
(4) Amildar's endorsement.
(5) By Comm^r's docket of 16.1.95.
(6) Chief Secretary's docket of 22.12.94
(7) By Comm^r's letter of 22.11.94
(8) Official Memorandum calling for records.
(9) Timmaiya's petition of 23.2.95.

Records
Indexed
Worked
21/7/95
21/7

1st The petitioner urges —

1. As regards the amount Rs. 18/ mentioned in para 1 of the order, the petitioner did not receive the amount in cash. The petitioner owed debts to the said Basavaraja for which he was troubled very much by the latter. So they made arrangements to pay his Khists. And he (petr.) had no money to pay up the Khists in a lump sum, he paid by instalments. Accordingly he did not misappropriate money received from any.

2. As he had no money then as the Khist time was coming he had to pay partly & this has caused the discrepancy in the Khirdi accounts. So he did not embezzle any money received for Govt.

3. He is not answerable to the charges laid down in the other paras as he is not the person who received the money & gave receipts. He was not present when the money was received. It was done by the Patail during his absence. He (petr.) only entered them in the Khirdi accounts on the dictation of the Patail & so the Patail & not he is bound to answer for its correctness.

4. The petitioner's statement can be seen by the "Vasuli document he has & the Sowcar's Rojmarga".

Prays.

Charges that, for the above reasons,
the jurisdiction of the Circuit
Court of the United States
to try the said Burr ought
to be declined by him.

T. Krishna Rau
Precis to be prepared in 3 days
28/11

(General Serial No. 30.)

6738 (3)

1894. Oct: 298

From The Deputy Commissioner
Tumkur district

To

The Chief Secretary to the ~~Dewan~~ Govt
of Mysore.

L.R. 143-94-3

Dated 22nd November 1894

Despatched

Received

Enclosures No. 2 + record

General No.

No. 4574

Hic offl: memo no Pat 621
of the 24th October 1894

Submitting the entire record relating to the suspension of Sa Hampaiah Shanbogue of Rampura in the Koratagere Sub Falik -

Vide draft
SLR
28/11

Pat 28/11

Read 28/11

No 454

Tumkur District.

Deputy Commissioner's office
Tumkur 22nd November 1874

To The Chief Secretary to the
Government of Mysore

Sir

As required in your Cy
official Memorandum no Pat/621 of
the 24th October 1874, I have the honor
to submit herewith the entire Cy
record relating to the suspension
of Hampaniah, Shanbogue of
Ramsir in the Koratagere Sub
Taluk, from his office.

2 The enclosures of the official
Memorandum under reply are
herewith returned.

I have the honor to be
Sir
Your most obedient Servant
[signature]
Deputy Commissioner

Pet 621

5-11-94

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM

The accompanying Petition No. 530

dated 12th August 94 received at the

Dewan's Office from Mainpanna, Shanbhog of Kamjina, Kodagu Taluk, appealing against the order of the Deputy Com^r dismissing Petitioner from the Shanbhogi of the above mentioned Village

is forwarded, together with its enclosures, to the Deputy Commissioner Kodagu District for submission of the further proceedings relating to the case

The Petition and its enclosures should be returned

By Order,

Bangalore, 8/11. 1894

Chief Secretary.

M.G.C.P. Bangalore.—3-5-94.—1,000.

ನಮಸ್ಕಾರ ಸ್ವಾಮಿ ಅಂದರೆ ನಾನು ಸ್ವಲ್ಪ ಹೊತ್ತಿಗೆ ಬರುತ್ತೇನೆ ಅಂತ ಹೇಳಿ ಹೊರಟು ಹೋಗಿದ್ದೆ

ಸಾಕ್ಷಿದಾರರಿಗೆ ನೀವು ಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಿದಾಗ ಅವರು ಉತ್ತರಿಸಿದ್ದು ಸರಿಯಾಗಿ ಅರ್ಥವಾಗಿದೆಯೇ ಎಂದು ಪರೀಕ್ಷಿಸಿದ್ದೀರಾ? ಹೌದು ಸ್ವಾಮಿ ಅರ್ಥವಾಗಿದೆ

ಸಾಕ್ಷಿದಾರರಿಗೆ ಕೇಳಿದ ಪ್ರಶ್ನೆಗಳಿಗೆ ಅವರು ಸರಿಯಾಗಿ ಉತ್ತರಿಸಿದ್ದಾರೆಯೇ? ಹೌದು ಸ್ವಾಮಿ ಸರಿಯಾಗಿ ಉತ್ತರಿಸಿದ್ದಾರ

COURT FEE STAMP

TWO RUPEES

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 4704
DATE 14-8-74

ಸಿವಿಲ್ ವ್ಯಾಜ್ಯಗಳು

13-8-94

ಕೋರ್ಟ್ ಫೀಸ್

ಅಫಿಡವಿಟ್ ಆಫ್ ಡಿಫೆನ್ಸ್ ಮತ್ತು ಕೌಂಟರ್ ಕ್ಲೇಮ್ ಫೈಲ್ ಮಾಡಿದ್ದಕ್ಕೆ.

ಸ್ಮಾಲ್ ಕಾಸಸ್ ನಂಬರ್ 1894-95 ನೇ ಇಸವಿ

ಪ್ಲೇಂಟಿಫ್

ವರ್ಸಸ್

ಡಿಫೆಂಡೆಂಟ್.

ಅಫಿಡವಿಟ್ ಆಫ್ ಡಿಫೆನ್ಸ್ ಮತ್ತು ಕೌಂಟರ್ ಕ್ಲೇಮ್ ಫೈಲ್ ಮಾಡಿದ್ದಕ್ಕೆ.

ಕೆಳಗೆ ಬರೆದ ವಕಾಲತ್ ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಕರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ಏವಾದಿಸಿ ಫೈನಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕರಿ ಪೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗದುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೂ ಸದಾ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪುತ್ತೇನೆ.

ತಾರೀಖು 19 ನೇ ಆಗಸ್ಟ್
ಸನ್ 1894 ನೇ ಇಸವಿ.

ರುಜು

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ.

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜುಮಾಡಿ ಇದ್ದಾರೆ. ಆದ್ದರಿಂದ ನಾನು ಸರ್ಟಿಫೈ ಮಾಡಿದ್ದೇನೆ.

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜುಮಾಡಿ ಇದ್ದಾರೆ. ಆದ್ದರಿಂದ ನಾನು ಸರ್ಟಿಫೈ ಮಾಡಿದ್ದೇನೆ.

ಲೀ, ರಾಘವಾಚಾರ್ರಿಗಾಗಿ ಬೆಂಗಳೂರು ವಿಚಾರ ದರ್ಪಣ ಪ್ರೆಸ್‌ನಲ್ಲಿ ಮುದ್ರಿಸಲ್ಪಟ್ಟಿತು.—೧೪೩.

Advocate for
Petr.

Bangalore
13th August 1943

(5)

Gen. Serial No. 31.] 9042

25 1894-95. Pet 413.

From The Deputy Commissioner
Dharwar District.

L.R 143-94-5

To The Chief Secretary to the
Govt: of Mysore.

Dated 16th January 1895.

Despatched 17th do —

Received

Enclosures No. 3

General No. 598.
No.

His Docket No. 10646
Pet: 1050 of the
22d December 1894. —

Submitting the Khirdi of Rampur village and the Kodgere Sub-Taluk for Vijaya (1893-94) together with the receipt book produced by Settara Basettappa and a receipt produced by Chikkagoudappa, &c. —

Pet. 18
1891

No. 598
Enc: 3

Dharwar District
Deputy Commissioner's Office
Dated 16th January 1895.

26

To,

The Chief Secretary to the
Government of Mysore.

Sir,

As required in your Docket No. 10646 / Pet: 1050 dated the 22d December 1894 I have the honor to submit herewith the Khirdi of the village of Rampur in the Kartgéé Sub-Taluk for the Year Vijaya (1893-94) together with the receipt book produced by Settara Basettappa of Rampur and a receipt produced by Chikkagoutteppa. With regard to the receipts connected with the other two individuals viz: Appajiah and Matada Veerappa, I beg to state that Appajiah is reported to have gone to Coobrayana jatra in the Goribidnoor Taluk, and that Matada Veerappa states that his receipt has been filed as evidence in a criminal case in the General Assistant Commissioner's Court of this District.

I have the honor to be,
Sir,
Your most obedient Servant,

Deputy Commissioner.

To

The Deputy Commissioner
Bangalore
Immigration Office

94

Dated

Rec. 10646 & 22/12/94
10650

With letter No 454 dated 22nd ultimo submitting the records in C.S. No 41 of 1894-95 before Court.

L.R. 163-94-H

Have the honor to request that the Kaudayans receipts and Extracts from Kurdi which are now in the file and which show the interval between the date of collection and remittance may be submitted at an early date.

By order

Receipt

Superintendent

Stock

22/12

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

Read. (7)

27

L.R. 143-94-6

Petition No 550 dated 13th August/94 from Ramprasanna, Chamberg of Ramjana, Sortageree Sub-Circle, appealing against the order of the Deputy Commr of Income suspending petitions for 4 years for failure to enter payments in the Returns on the dates on which the sums were paid.

2. The records received with letter No 4549/22 Nov 2 1894 from the Deputy Commr Cuttack.

3. Letter No 593/16-1-95 from the same officer.

Order thereon No 272 P.F. 4-95 dt 6.7.95

The petitioner was rightly punished. He has already suffered one years suspension and the Government considers that it will be a sufficient punishment if he is kept out of the office for another year. They are accordingly pleased to reduce the period of suspension to two years.

Draft for consideration

Revenue Secretary

6.7.95

6.7.95

6.7.95

To The Deputy Commr Cuttack for information in the records.

From

The Chief Secretary to the Government of Mysore.

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

(6)

నంబర్ 530 A.S. 41

L.R 143-94-7